

**LEWIS AND CLARK CITY-COUNTY HEALTH DEPARTMENT
BOARD OF HEALTH - MINUTES
316 N. Park, Room 309, HELENA, MONTANA 59601
May 24, 2012**

Members Present

Ken Wallace, vice-chair
Chris Deveny
Commissioner Andy Hunthausen
Mayor Jim Smith (departed 2:55 p.m.)
Mayor Anthony Strainer

Staff Present

Melanie Reynolds	Laurel Riek	Beth Norberg
Jolene Helgerson	Laura Hendley	
Frank Preskar	Mark Syverson	
Dorothy Bradshaw	John Geach	
Mike Henderson	Brett Christian	
Kathy Moore	Gayle Shirley	

Members Absent

Steve Ackerlund
Keith Meyer
Susan Epstein
Peter Donovan, chair

Guests Present

See Board of Health Attendance Sheet

Ken Wallace, vice-chair, called the meeting to order at 1:32 p.m. A quorum was established.

REVIEW OF AGENDA

Melanie Reynolds, Health Officer, stated that Norman Rostocki, Finance Coordinator, would not be at today's meeting and that she would discuss the finance report.

PRESENTATION

Ken Wallace explained the role of the Board of Health and the County regarding food safety in the county. Melanie Reynolds introduced Laurel Riek, Laura Hendley, Mark Syverson, and John Geach, registered sanitarians with the License Establishment Program. Laurel Riek explained that this was the second year that the Licensed Establishment Program was awarding Gold and Silver Fork Awards. She stated that the purpose of the awards is to recognize food service facilities that incur few or no risk factor violations during inspections and that either show significant progress toward developing an effective food safety system or have one in place. An effective food safety system is designed to control the greatest risks of foodborne illness on an ongoing basis. Such a system maintains control over the five most common causes (risk factors) of foodborne illness as identified by the Centers for Disease Control and Prevention. The Gold Fork Award is presented to facilities that had no risk factors violations during annual inspections in the previous year and that showed evidence of all four components of an effective food safety system. The Silver Fork Award is presented to establishments that had two or fewer minor risk factor violations and demonstrated elements of at least three out of four components of an effective food safety system.

Ken Wallace introduced the 2011 Gold and Silver Fork Award winners:

- Gold Fork Award winner- Sodexo
- Silver Fork Award winners- (See Attachment "A")

- A special presentation was made to the parents of Kathy Brown, a posthumous winner of the Silver Fork award.

MINUTES

Ken Wallace asked if there were any corrections or additions to the April 26, 2012, minutes. Melanie Reynolds stated that Gayle Shirley was not at the April board meeting as noted in the minutes. The Board approved the minutes as amended.

ACTION ITEM

Ratification of the Montana Clean Indoor Air Act (CIAA) Implementation Protocols for Lewis and Clark County: Dorothy Bradshaw, Division Administrator, requested ratification of the Montana Clean Indoor Air Act Implementation Protocol for Lewis and Clark County, on pages 12-15 of the board packet. Dorothy highlighted the protocol definitions for reasonable distance, enclosed space, partially open space and the clarification of definitions for “cigarette” and “smoke.” Dorothy noted that the protocols were developed to further clarify the Montana Clean Indoor Air Act for businesses in Lewis and Clark County. Jeremy Gersovitz, deputy county attorney for Lewis and Clark County, stated that he was the prosecutor for the first case in Montana to go to trial under the Montana Clean Indoor Air Act. He asked the Board to ratify the Montana Clean Indoor Air Act Implementation Protocols that the Health Department adopted in November 2009. Jeremy stated that the County Attorney’s Office recommends formal ratification of the CIAA protocols by the Board of Health as the enforcing body of the CIAA law. Ratification is part of a general effort to make enforcement and documentation concerning the CIAA more efficient and clear. Commissioner Hunthausen made a motion to ratify, approve, and confirm the Montana Clean Indoor Air Act Implementation Protocol for Lewis and Clark County. Mayor Strainer seconded the motion. The motion carried 5-0.

Lewis & Clark City-County Board of Health Media Policy: Melanie Reynolds presented the Lewis & Clark City-County Board of Health Media Policy on pages 17-18 of the board packet for Board approval. Mayor Smith made a motion to approve the Lewis & Clark City-County Board of Health Media Policy. Commissioner Hunthausen seconded the motion. The motion carried 5-0.

Regional Haze Letter to the EPA: Ken Wallace presented draft comments on behalf of the Board of Health regarding air quality rules proposed by the Environmental Protection Agency (EPA) to reduce regional haze (See Attachment “B”). The comments approve of the rules posed by the EPA regarding cement plants but recommend more stringent controls for coal plants. After board member discussion, Chris Deveny made a motion that the Board of Health submits the comments prepared by Ken Wallace to the EPA. Commissioner Hunthausen seconded the motion. The motion carried 5-0. After the Board has provided comments on the EPA letter and a proposed Your Turn article to Melanie Reynolds, she will submit the final comment letter to the EPA and the Independent Record.

BOARD MEMBER DISCUSSION

Finance Reports: Melanie Reynolds referenced the comparison to budget and cash flow for the period ending April 30, 2012, on page 21 of the board packet. Melanie noted that we are 83% through the fiscal year. Total revenue is \$1,059,769, or 68% of the amount budgeted; actual expenditures are \$1,200,774, or 76% of the amount budgeted. Revenues are under expenditures by \$141,005; total ending cash is \$517,350. Melanie noted that property taxes for the first half of the year are due in May. Melanie highlighted on pages 22-30 of the board packet a portion of the final FY 2013 budget packet.

Wood Stove Survey Update: Kathy Moore, Division Administrator, stated that the Frause Group has completed questions for a draft survey regarding solid-fuel burning devices. The goal of the survey is to

provide support for the County's air quality program by characterizing the nature and extent of solid-fuel burning devices. Kathy will review and provide any changes to the survey. The phone survey aimed at residents in Lewis and Clark County will be completed by July 31, 2012.

Tobacco Free Parks Update: Dorothy Bradshaw stated that on May 2, 2012, members from the ACHIEVE CHART team attended the City of Helena Parks Board meeting and asked the Board to consider recommending a tobacco-free parks policy to the City Commission. The Parks Board discussed several alternatives and decided to continue discussion at the next meeting on June 6th. Prevention Programs staff will poll the community regarding a tobacco-free parks policy this summer.

Dorothy Bradshaw introduced Brett Christian, the new temporary tobacco-use prevention health educator for the Community Health Promotion Division. Brett is a recent graduate of the University of Montana-Western in Dillon with a degree in environmental science. He was student coordinator of the university's Tobacco Free Task Force and helped lead efforts to declare the campus tobacco-free in August 2011.

Pertussis Update: Mike Henderson, Division Administrator, stated that there have been 24 cases of pertussis (whooping cough) within the county since March 29. Children in elementary, middle, and high schools have been affected but no infants so far. Staff has sent out press releases on pertussis along with advisories to the medical community, schools, and parents.

Accreditation: Melanie Reynolds stated that she and Gayle Shirley, Communication Coordinator, will give a presentation on producing and making effective use of a community health assessment at the May 31 meeting of the Montana Public Health Association in Bozeman. They will also participate in an accreditation coaching program through the Northwest Center for Public Health Practice at the University of Washington.

HEALTH OFFICER REPORT

Government Day will be held in Augusta on July 13, 2012. Health Department staff will talk with members of the community about the programs that the Health Department offers. Board members are welcome to attend.

Melanie will work with the County Attorney's Office and the County Commissioners to review the master contract for services provided and acceptance of grants with the Montana Department of Public Health and Human Services (MDPHHS).

On June 20, 2012, there will be a public meeting and open house at the East Valley Volunteer Fire Department to provide updates on the activities regarding the RCRA site and Asarco Plant. Melanie will send a reminder to the Board.

Nominations for open positions on the Board of Health will close on May 25, 2012. At this time, three applications have been received.

The Helena Early Childhood Coalition, which includes staff of the Home Visiting Program, will meet with agency representatives the week of May 28 to discuss early childhood development. At a later date, the coalition will discuss early childhood development with the community.

BOARD MEMBER DISCUSSION *continued*

Ten Mile/ Pleasant Valley Lagoon Update: Kathy Moore stated that John Arrigo with the Montana Department of Environmental Quality (MDEQ) gave an update on the lagoons at the Water Quality Protection District meeting on May 22, 2012. The Ten Mile and Pleasant Valley Subdivisions have created their own water and wastewater sewer districts and have joined DEQ in a lawsuit against Mr. Kelly, owner of the lagoons. The official court date is scheduled for May 29. The lawsuit against Mr. Kelly is regarding the leaking of the lagoons, which are not constructed in accordance with approved design in violation of the Public Water Supply Law. HATCo Title Company, trustee of the lagoon system, has a contract with Mr. Kelly to operate the lagoon in accordance with MDEQ standards. HATCo has been working with the subdivisions' sewer district to take over trusteeship of the lagoons.

BOH/CHC Board Meeting Update: Melanie Reynolds stated that she is trying to find dates for the Board to meet to prepare for a meeting with the Cooperative Health Center (CHC) Board. The meeting between the two boards is still being scheduled. A recent federal grant to the CHC for 5 million dollars will be used to improve the CHC. Melanie said that Kate McIver, director of the CHC, will work with architects on designs for the first year before any construction is started. Melanie also noted that the CHC did not receive the contract to open a State Employee Health Clinic.

There being no public comment, the meeting adjourned at 3:25 p.m.

Peter Donovan, Chair

Melanie Reynolds, Secretary

Action Items from May 24, 2012, BOH Meeting

- After the Board has provided comments on the EPA letter and the Your Turn article regarding regional haze, Melanie will submit the final comment letter to the EPA and the Independent Record.
- Melanie will send a reminder regarding the June 20 East Helena Smelter public meeting and open house to the Board.